

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

Deborah S. Hunt  
Clerk

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Filed: November 20, 2013

Eddie Sylvester Jones Jr.  
1980 Prado Avenue  
Memphis, TN 38116

Re: Case No. 13-6127, *Eddie Jones, Jr. v. Wilson & Associates, P.L.L.C.*,  
*et al*  
Originating Case No. : 2:12-cv-02510

Dear Mr. Jones:

The Court issued the enclosed Order today in this case.

Sincerely yours,

s/Bryant L. Crutcher  
Case Manager  
Direct Dial No. 513-564-7013

cc: Mr. Thomas M. Gould  
Mr. Nolan M. Johnson  
Mr. Gerald D. Morgan  
Ms. Kristine L. Roberts

Enclosure

No. 13-6127

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

EDDIE SYLVESTER JONES, JR., )

Plaintiff-Appellant, )

v. )

WILSON & ASSOCIATES, P.L.L.C.; )

NATIONSTAR MORTGAGE; FIRST )

HORIZON NATIONAL CORPORATION; )

FIRST TENNESSEE BANK; ANGELA BOYD; )

BRUCE B. HOPKINS; HAROLD LEWIS; )

THOMAS SIDES; BRYAN JORDAN, )

Defendants-Appellees, )

DAVID LENOIR, )

Defendant. )

**FILED**

Nov 20, 2013

DEBORAH S. HUNT, Clerk

O R D E R

Before: BATCHELDER, Chief Judge; BOGGS and CLAY, Circuit Judges.

Eddie Sylvester Jones, Jr. (“Jones”), proceeding *pro se*, appeals the dismissal for failure to state a claim of his amended complaint arising from the impending nonjudicial foreclosure of his property located at 1980 Prado Avenue, Memphis, Tennessee. He moves to enjoin Defendants from proceeding with the private foreclosure sale, which is scheduled to be held on Friday, November 22, 2013. Defendants oppose the motion.

We balance the traditional factors governing injunctive relief in ruling on motions for a stay or an injunction pending appeal. *Baker v. Adams Cnty./Ohio Valley Sch. Bd.*, 310 F.3d 927, 928 (6th Cir. 2002). Those factors are:

- (1) whether the movant has shown a strong likelihood of success on the merits; (2)
- whether the movant will suffer irreparable harm if the injunction is not issued; (3)

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whether the issuance of the injunction would cause substantial harm to others; and  
(4) whether the public interest would be served by issuing the injunction.

*Overstreet v. Lexington-Fayette Urban Cnty. Gov't*, 305 F.3d 566, 573 (6th Cir. 2002). “The first two factors of the traditional standard are the most critical. It is not enough that the chance of success on the merits be better than negligible.” *Nken v. Holder*, 556 U.S. 418, 434 (2009) (internal quotation marks omitted). Upon consideration, we conclude that Jones has not shown a likelihood of success on appeal and that the equities do not weigh in favor of granting injunctive relief.

The motion for an injunction pending appeal is **DENIED**.

ENTERED BY ORDER OF THE COURT

A handwritten signature in black ink, appearing to read "Deborah L. Smith", is written above a horizontal line.

Clerk